

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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DONOVAN PADDY, )  
Plaintiff, ) 3:08-cv-00236-LRH-RAM  
v. )  
DAVID MULKEY, et al., ) ORDER  
Defendants. )  
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)

Plaintiff Donovan Paddy (“Paddy”) filed a complaint against defendants for violation of the Family Medical Leave Act (“FMLA”), 29 U.S.C. §§ 2601-2654. Doc. #1<sup>1</sup>. Paddy alleges that he was improperly fired from the Reno-Sparks Indian Colony for taking his medical leave.<sup>2</sup>

On August 21, 2009, the court issued an order staying the action to allow Paddy to exhaust his tribal remedies rather than dismiss his case. Doc. #46. However, six months later, Paddy still had not filed suit in tribal court or taken any action to exhaust his tribal remedies, and the court issued an order (doc. #48) to show cause as to why his complaint should not be dismissed for failure to exhaust his tribal remedies. Plaintiff was to file a response on or before March 26, 2010.

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<sup>1</sup> Refers to the court’s docket number.

<sup>2</sup> For an in-depth discussion on the facts of this case refer to the court’s August 21, 2009 order (Doc. #46).

1 IT IS THEREFORE ORDERED that the present action shall be dismissed for failure to  
2 exhaust tribal remedies.

3 The Clerk of the Court shall enter judgment accordingly.

4 IT IS SO ORDERED.

5 DATED this 17th day of September, 2010.

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7 LARRY R. HICKS  
8 UNITED STATES DISTRICT JUDGE

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